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CENTRAL INTELLIGENCE AGENCY
NATIONAL FOREIGN ASSESSMENT CENTER

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MEMORANDUM

SOVIET POLICY ON OUTER SPACE

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Summary

The UN Committee on the Peaceful Uses of Outer Space, particularly through its scientific and technical subcommittee and its legal subcommittee, has served as the focal point for international negotiations on outer space issues. As the number of space-oriented activities has grown, however, so has the number of international forums concerned with space issues.* In 1978, US-Soviet negotiations began on a possible Antisatellite (ASAT) Treaty, and France proposed an International Satellite Verification Agency that would internationalize disarmament monitoring. In 1979, Italy proposed the further demilitarization of outer space at a meeting of the UN Committee on Disarmament.

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This paper outlines and examines the main Soviet positions on outer space issues that span more than one international forum, in particular those that are relevant to the ASAT talks.** These issues are:

(25)
 -- The right of a receiving country to restrict broadcasts from direct broadcast satellites.

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*See "Space Activities and Resources," a review of the activities and resources of the UN, of its specialized agencies, and of other competent international bodies relating to the peaceful uses of outer space (United Nations, New York, 1977.)

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This memorandum was prepared by [redacted] the Office of Political Analysis and has been coordinated with the Office of Scientific Intelligence, the Office of Weapons Intelligence and the Arms Control Intelligence Staff. Comments and queries may be addressed to C/Multidisciplinary Branch/USSR-EE Division, [redacted]

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- The collection and dissemination of remote sensing data.
- The definition of the lower limit of outer space.
- Flight paths and uses of space shuttle systems.

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General Principles

Soviet policy on outer space is governed by concern for the physical security of the USSR and the political security of the Soviet regime. Since the launch of Sputnik in October 1957, space activities by the USSR, as well as by other countries, have continued to increase for a number of peaceful and military purposes, including mass communications, education, telecommunications, meteorology, geodesy, hydrography, cartography, navigation, and collection of intelligence, including for arms control verification purposes. Moscow views many of the space activities conducted by other countries as threatening to its control over its own resources, activities, and populace. The Soviets have thus objected to and obstructed initiatives taken by other states that Moscow perceives as threatening. The USSR has also proposed international agreements that would prohibit or inhibit the utilization of a variety of space techniques that they see as having potentially hostile military, economic, or political applications. At the same time, they have sought to protect their own civil and military activities in space.

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The Soviet concept of national sovereignty and the Soviet definition of "peaceful purposes" are central to Moscow's position in all these negotiations. "Violation of national sovereignty" is a term used by Moscow to describe actions that it considers to be threatening not only physically, but also economically, socially, politically, or ideologically. The Soviet Union has consistently used the term "for peaceful purposes" to mean "non-military" in contrast to the usual US interpretation of the same phrase to mean "non-aggressive" or "beneficial."

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The ASAT Negotiations

The 1978-79 ASAT negotiations focused on the prohibition of certain acts against satellites, and a suspension of testing anti-satellite systems.* The Soviet positions on prohibited acts against satellites are of greatest significance for issues negotiated in other forums (the Soviet position on eliminating the testing ASAT systems, also relevant to other forums, is discussed below, under space transportation systems).

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*For purposes of this paper the word "satellite" is used rather than the treaty term "space object."

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In the ASAT talks, the two sides have defined as prohibited those acts that damage a satellite, destroy it, or displace it from its orbit or trajectory. Moscow has agreed that the treaty's protection from possible ASAT techniques should apply to satellites used exclusively by either the US or the USSR, and has proposed to extend protection to satellites used jointly with a third country only if such use is within the framework of international cooperation on the exploration and uses of outer space "for peaceful purposes." [redacted]

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The Soviets insist that any future treaty must not provide protection from ASAT techniques for satellites engaged in "hostile" or "illegal" actions against the other country. The Soviets consider hostile or illegal those acts that violate national air space or territory, damage the environment, or are violations of state sovereignty. Moscow states that a hostile act exclusion is needed because the Soviet Union is concerned with non-weapons-related activities carried out by states against each other by means of satellites. When asked for a specific example, the Soviets cited television broadcasts from satellites without permission of the state to which the broadcast is directed. [redacted]

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Information Control and Direct Broadcast Satellites

The Soviets are particularly concerned over direct broadcast satellites (DBS), because they are capable of transmitting programs to home television receivers directly from a foreign broadcasting service. Moscow clearly fears that DBS would be inimical to the security of the Soviet regime and to those of their East European allies. [redacted]

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The Soviet attitude toward information control is basic to the Soviet position on DBS. The USSR sees the media as tools over which the state must retain full sovereignty if it is to retain control over and mobilize society. All information from abroad must be censored, therefore, to exclude what is considered slanderous toward the USSR. The Soviet Union insists on the right to be the final judge of which broadcasts are "illegal" and constitute interference in its internal affairs. Soviets have cited as examples broadcasts that incite to war or advocate national, racial or religious hatred or violence. [redacted]

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The Soviet Union has consistently tried to establish constraining guidelines for DBS since 1968, when it initiated a working group at the UN Outer Space Committee to study the social, legal, cultural, and other implications of DBS. It also took the lead in gathering a group of experts within the UNESCO framework to assist in the formulation of "proposals concerning the international arrangements and conventions to promote the use of space communications for the furtherance of UNESCO's aims." [redacted]

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Pressures for a freer international flow of information increased in the early 1970's as a result of the negotiations leading toward the 1975 Conference on Security and Cooperation in Europe (CSCE). The Soviets first tried to deflect these pressures, but

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then realized that they would have to deal with the issues raised if they were to achieve their broader political and security objectives in CSCE. Although the Final Act of CSCE includes provisions for a freer flow of information by means of radio and television broadcasts, it also provides that any commitments to this end cannot involve interference in the internal affairs of any state and that the implementation of these commitments is subject to the domestic laws of the states concerned.

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(1) In two UN forums, Moscow initiated steps to water down the impact of the CSCE provisions. At the annual UNESCO Conference in 1972, the Soviets introduced a proposal (which eventually became the 1978 Declaration on the Mass Media) that was designed to gain international sanctions for their views on the need for state control over press, radio, and television broadcasts. At the same conference, UNESCO passed a declaration --responding to the 1968 Soviet initiative--specifying that "satellite broadcasting shall respect the sovereignty and equality of all states," and including a provision for prior consent of the receiving state. The same year, Foreign Minister Gromyko proposed in a letter to the UN Secretary General that each country be given the right to restrict satellite television broadcasts and to take any measures necessary for that purpose within the country, in outer space, or in "other places beyond the bounds of national jurisdiction of any state." To date, the Outer Space Committee has agreed on all aspects of a treaty regulating DBS except for prior consent, program content, unlawful or inadmissible broadcasts, and "spillover" (transmissions intended for domestic reception in one country that are received in an adjacent country). At the 1979 session of the Outer Space Legal Subcommittee, the Soviets threatened to move the issue to the UN General Assembly, which they believe is more likely to vote in favor of their positions. They asserted that the subcommittee had failed to reach agreement on one of the most urgent political issues for all UN states.

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In 1977, under the auspices of the UN's International Telecommunications Union (ITU), which has responsibilities in the technical area for satellite communications, the Broadcast Satellite Administrative Conference assigned frequencies to individual countries in the Eastern Hemisphere. These assignments made direct television broadcasting illegal without the consent of the receiving state on the grounds that the government of the receiving state must make the necessary frequencies available. Given both the growing availability of DBS Technology that will occur in the 1980's and the deterioration of Soviet relations with the West that will increase Moscow's fears of a return to the broadcasting practices of the 1950's and the 1960's, the Soviets undoubtedly will continue to press for international conventions restricting direct satellite broadcasts. They may also urge moving the issue to the UN General Assembly.

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Remote Sensing Systems

The collection by another country of data about the USSR by means of remote sensing devices in space and the dissemination of such data to third parties greatly concerns the Soviets. The root of this concern is that such data could have military significance, particularly to the Chinese. This concern is reflected in Soviet negotiating positions, even though the Soviets themselves offer data derived from their own remote sensing systems to Third World countries for resource development purposes.*

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Although the fundamental Soviet attitude regarding any data gathered about the USSR remains protective, Moscow has agreed that the United States can legitimately use "national technical means" to gather data necessary to verify the USSR's compliance with the bilateral SALT agreements. The Soviets add, however, that they regard the gathering of intelligence for military purposes beyond what is required for SALT verification as an infringement of the USSR's national sovereignty. The Soviet Union has not, however, defined what it believes are the limits to the legitimate collection of data by national technical means of verification. At the ASAT talks, the Soviets have reserved the right to use ASAT techniques against satellites that violate their national sovereignty.

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In the UN Outer Space Committee the Soviets maintain that the USSR has sovereignty over resource data about the Soviet Union and that such data cannot be transferred to a third country without Soviet permission. In the ASAT talks they have maintained that only those joint US-third country satellites that are used solely for "peaceful purposes" should be protected from ASAT techniques. They have argued that photographic data of better than 50-meter resolution has military and economic value. They continue to maintain that there are no demonstrable, legitimate "peaceful uses" for data of better resolution than 50 meters, and that it should not be disseminated to a third country without the consent of the target state.

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At the 1979 meeting of the Legal Subcommittee, the Soviets proposed a new definition of remote sensing that spelled out their view of the military value of data gained by these means. The Soviet definition included the collection of data not only about the earth's natural resources and environment but also about manmade objects and formations. When queried, the Soviets indicated that the definition was intended to include objects and formations of significance to defense. The Soviets undoubtedly are concerned over the projected 1981 launch of a US civilian earth resource satellite (LANDSAT) with improved remote sensing capabilities, and the planned release of its better quality data to third countries, including China, to which Washington has recently offered a LANDSAT receiving station.

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*The US allows other countries to receive data directly from the remote sensor, the USSR does not.

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Defining the Lower Limit of Outer Space

The Soviet Union has maintained at the ASAT talks that deliberate intrusions into its air space by satellites exemplify the type of activity that should be exempted from protection from ASAT techniques. Neither the lower limit of outer space (where the 1967 Outer Space Treaty applies) nor the upper limit of air space (where a nation has sovereignty) have been defined, however, although the need to define or delimit outer space is a problem that has been on agendas of the UN Outer Space subcommittees since their inception. This question, of course, relates directly to the military and defense activities of individual nations. It also has a direct bearing on the claims made by equatorial countries to sovereignty over segments of the geostationary orbit that lie approximately 36,000 kilometers above their territory.

(17) Moscow proposed at the 1979 meeting of the Legal Subcommittee to define outer space as beginning 100 to 110 kilometers above sea level, while leaving undefined the upper limit of air space. Thus the Soviets are preserving a basis for a claim that satellites in orbits below the 100-110 kilometer line violate Soviet national air space.

Even if the upper limit of national air space is not defined, international agreement on the lower limit of outer space has significance for military activities regulated by several existing treaties. The 1967 Outer Space Treaty forbids the sending of nuclear or other weapons of mass destruction into outer space or into orbit. It does not ban conventional weapons, intercontinental missiles, or weapons that complete less than one orbital revolution. Also involved is the provision of the ABM Treaty stating that each party undertakes not to develop, test, or deploy ABM systems or components that are space based.

(22) (23) (24) Moscow has given no reason for its choice of a 100 to 110 kilometers as the lower limit of outer space and has been unable to point out what advantages this definition bestows on space nations or what problems would be resolved by its use. Although the Soviet definition provides for the right of free passage below 100 to 110 kilometers for satellites being launched into orbit and for those returning to the launching state, the Soviets indicated at the June 1979 meeting of the Outer Space Committee that it is time to have the Legal Subcommittee consider the necessity for "developing rules for flights of shuttle systems on their first orbit after take-offs because such systems pass over other states during first orbit." In addition, the Soviet definition would establish an arbitrary boundary that takes into account neither future developments in spacecraft nor the ever lower perigees at which satellites function.

The Soviet Union sees its proposed definition of outer space as a way to undercut the claims of equatorial countries to the

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portions of the geostationary orbit over their territory and Third World demands for reserving parts of the orbit for their use when they have achieved the necessary technical ability. (The 1967 Outer Space Treaty declares outer space to be the province of all mankind and not subject to claims of sovereignty.) These demands provide the Soviets with incentive to press for adoption of their definition of the lower limit of outer space prior to the proposed 1984 and 1986 ITU-sponsored conferences on planning space services (which were recommended by the 1979 World Administrative Radio Conference).

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Space Transportation Systems

The Soviets will probably introduce and pursue in the UN committees this year measures to control space transportation systems. They are concerned over the capabilities of the US shuttle system to maneuver close to Soviet satellites in order to alter their position or remove them from orbit. Acute Soviet interest in the antisatellite capabilities of the US shuttle system was apparent at the 1978-79 ASAT negotiations during discussions on provisions for a test ban of antisatellite systems. The Soviets asserted that since both sides were agreed that anti-satellite activity includes destroying, damaging, or displacing a satellite from its orbit or trajectory, they would not agree to suspend testing of the Soviet orbital interceptor unless the development of all other means of damaging, destroying, or changing the trajectory or orbit of a satellite is also halted. Moscow pointed out that it meant to include in the proposed ban tests in space of reusable space craft.*

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At the June 1979 meeting of the Outer Space Committee the Soviets indicated that it is time to have the Legal Subcommittee consider "forbidding the use of shuttle systems to remove objects of other states from outer space without the state's consent," and "the necessity to develop rules for flights of shuttle systems on take-off because such systems pass over other states during the first orbit."

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*During discussions on the test ban the Soviets asserted that they had serious doubts about eliminating systems built specifically as an antisatellite weapon without also banning those systems with potential possibilities for use as an antisatellite weapon.

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